

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Case No.: 3:24-cv-00195-MMD-CSD

**Order**

COAST TO COAST HOLE IN ONE, LLC, et  
al.,

Plaintiffs,

v.

MICHAEL HIGGINS, et al.,

Defendants

MICHAEL HIGGINS,

Counterclaimant,

v.

COAST TO COAST HOLE IN ONE, LLC, et  
al.,

Counterdefendants

Plaintiffs' counsel, Stephen Kent, Esq., sent an email to Judicial Assistant Heidi Jordan on Friday August 23, 2024, at 3:16 p.m., copying Defendants' counsel, and asked whether it would be possible for the undersigned to become involved in assisting the parties with settlement. Notably, the email did not only ask about the court's willingness to facilitate continued settlement discussions, but included substantive allegations about Michael Higgins transferring funds from a Coast to Coast bank account.

On August 23, 2024, at 4:27 p.m., Defendants' counsel, Anthony Arger, Esq., sent Ms. Jordan an email, copying Mr. Kent, and advised that it did not appear Plaintiff's counsel's plea

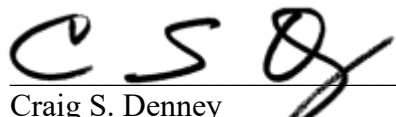
1 for the court's involvement in continued settlement discussions could be accommodated in light  
2 of Chief District Judge Du's order staying the case and sending it to arbitration.

3 Preliminarily, it may be appropriate for counsel to contact a judicial assistant or  
4 courtroom deputy about scheduling matters. However, Plaintiffs' counsel crossed the line when  
5 he included substantive accusations about the Defendants in an email to court staff. If there is a  
6 substantive issue in a case which requires the court's attention, counsel should bring it before the  
7 court in a motion filed in the court's docket, and not in an email to court staff. Plaintiffs' counsel  
8 is admonished to refrain from contacting court staff via email or telephone regarding substantive  
9 case issues.

10 Moreover, Mr. Arger is correct that Chief District Judge Du has ordered this case proceed  
11 in arbitration. The case has been stayed pending arbitration, and the case has been  
12 administratively closed. (ECF No. 72.) Therefore, the court does not have authority to order the  
13 parties to appear for continued settlement discussions. If, however, the parties agree that  
14 continued settlement discussions would be worthwhile, they may file a *stipulation* to participate  
15 in continued settlement discussions, and the court will endeavor to accommodate the parties. In  
16 the absence of a stipulation, the parties may proceed with private settlement discussions or  
17 directly with arbitration.

18 **IT IS SO ORDERED.**

19 Dated: August 26, 2024

20   
21 Craig S. Denney  
22 United States Magistrate Judge  
23